REMARKS

Claims 1-24 remain pending in the above-identified patent application. In response to the Office Action mailed on June 28, 2007, Applicants respectfully request the Examiner to enter the aforementioned amendments and consider the following remarks for allowance of the above-identified patent application. In particular, Claims 2, 4, 7, 9 and 12-23 are amended herein. No new matter has been added as a result of these amendments.

Moreover, Applications respectfully point out that the clerical error in the previous amendment to Claim 4, as referenced in the instant Notice of Non-Compliance, has been corrected herein. Applicants wish to thank the Examiner for bringing this clerical error to Applicants' attention.

CLAIM REJECTIONS – 35 U.S.C. § 112

Claims 2 and 21 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention in view of the term "substantially" which appears in the claims. In so much as the term "substantially" has been deleted from Claims 2 and 21, Applicants respectfully submit that the rejections of Claims 2 and 21 under 35 U.S.C. § 112, second paragraph, are moot at this time.

CLAIM REJECTIONS - 35 U.S.C. § 101

Claims 20-22 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter since Claims 20-22 comprise a data structure. In so much as Claims 20-22 have been amended to comprise instructions on a computer-usable medium used to carry out a useful result (i.e., establishing a consistent password policy), Applicants respectfully submit that the rejections of Claims 20-22 under 35 U.S.C. § 101 are moot at this time.

CLAIM REJECTIONS - 35 U.S.C. § 102(e)

Claims 1, 3, 4, 20, 23 and 24 are rejected under 35 U.S.C. § 102(e) as being anticipated by Resnitzky et al. (Publication No. US 2004/0068650). Applicants have reviewed the above cited reference and respectfully submit that the embodiments of the present invention as recited in Claims 1, 3, 4, 20, 23 and 24 are not anticipated by Resnitzky for at least the following rationale.

Independent Claim 1, and similarly independent Claims 20 and 23 as amended, recites the features:

> A method of establishing a consistent password policy, said method comprising:
> describing a plurality of password policies in a computer usable password policy data structure;
> accessing said computer usable password policy data structure by a password policy enforcement agent; and
> enforcing at least one of said plurality of password policies described within said password policy data structure by said password policy enforcement agent.

"[A]nticipation requires the presence in a single prior art reference disclosure of *each and every element* of the claimed invention, arranged as in the claim ...." *Lindemann Maschinefabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added).

MPEP §2131 provides:

> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

Applicants respectfully submit that Resnitzky fails to disclose each and every element of Claim 1, arranged as in the claim. Applicants understand Resnitzky to teach:

> the server component 20 can **store authentication information** for each user in the database (**such as a user password hash**), and then the **user will be prompted for the password** after establishment of the TLS session. In this case the management console 30 will include the features needed to administer the user database including: user creation, user deletion, user password reset, defining password policy. The server component 20 will **enforce the password policy** ....

Resnitzky, page 6, paragraph [0111] (emphasis added). Applicants do not understand Resnitzky to anticipate, for example, describing a plurality of password policies in a computer usable password policy data structure, accessing said computer usable password policy data structure by a password policy enforcement agent, and enforcing at least one of said plurality of password

policies described within said password policy data structure by said password policy enforcement agent, as claimed.

As stated above, Applicants understand Resnitzky to teach "the server component ... can **store authentication information ... such as a user password hash**." *See* Resnitzky, page 6, paragraph [0111] (emphasis added). Applicants further understand Resnitzky to teach that "[t]he server component ... will **enforce the password policy** ...." *See Id.* However, Applicants do not understand storing authentication information, such as a user password hash, or enforcing "the password policy" to anticipate, for example, *describing a plurality of password policies* in a computer usable password policy data structure, and *enforcing at least one of the plurality of password policies* described within the password policy data structure by a password policy enforcement agent, as claimed.

For at least the foregoing rationale, Applicants respectfully submit that Claim 1, and similarly Claims 20 and 23 as amended, is not anticipated by Resnitzky under 35 U.S.C. §102(e). As such, allowance of Claims 1, 20 and 23 is respectfully requested.

With respect to Claims 3 and 4, Applicants respectfully point out that Claims 3 and 4 depend from allowable amended independent Claim 1, and recite further features of the present claimed invention. With respect to Claim 24,

Applicants respectfully point out that Claim 24 depends from allowable amended independent Claim 23, and recites further features of the present claimed invention. Therefore, Applicants respectfully submit that Claims 3, 4 and 24 overcome the rejections under 35 U.S.C. §102(e), and that these claims are thus in a condition for allowance as being dependent on an allowable base claim. As such, allowance of Claims 3, 4 and 24 is respectfully requested.

CLAIM REJECTIONS - 35 U.S.C. § 103(a)

I.   Claims 2, 19 and 21

Claims 2, 19 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Resnitzky in view of Cole et al. (Publication No. US 2002/0161707). Applicants have reviewed the above cited references and respectfully submit that the embodiments of the present invention as recited in Claims 2, 19 and 21 are patentable over the cited references for at least the following rationale.

Independent Claim 1, and similarly independent Claims 20 and 23 as amended, recites the features:

> A method of establishing a consistent password policy, said method comprising:
> describing a plurality of password policies in a computer usable password policy data structure;
> accessing said computer usable password policy data structure by a password policy enforcement agent; and
> enforcing at least one of said plurality of password policies described within said password policy data structure by said password policy enforcement agent.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). (MPEP 2143.03).

Similarly, MPEP §2143 provides:

> To establish a prima facie case of obviousness ... the prior art reference (or references when combined) must teach or suggest all the claim

limitations.

Applicants respectfully submit that Resnitzky in view of Cole fails to teach or suggest each and every element of Claim 1, and similarly Claims 20 and 23 as amended. Applicants understand Resnitzky to teach a method for secured data processing wherein "[t]he server component ... will **enforce the password policy ....**" Resnitzky, page 6, paragraph [0111] (emphasis added).

Applicants understand Cole to teach a method and system for multi-currency escrow service for web-based transactions wherein "[t]he user ID and password must comply with a predefined user ID and **password policy of the system.**" Cole, page 9, paragraph [0095] (emphasis added). Applicants further understand Cole to teach "[t]he password assigned by the user and the subsequent maintenance of passwords are governed by **a predefined password policy**, including data driven key password policy parameters." Cole, page 9, paragraph [0102] (emphasis added).

Applicants do not understand the combination of Resnitzky and Cole to teach or suggest describing a plurality of password policies in a computer usable password policy data structure, accessing said computer usable password policy data structure by a password policy enforcement agent, and enforcing at least one of said plurality of password policies described within said password policy data structure by said password policy enforcement agent, as claimed.

For instance, Applicants do not understand "[t]he user ID and password must comply with a predefined user ID and **password policy of the system**" to teach or suggest *describing a plurality of password policies in a computer usable password policy data structure* and accessing said computer usable password policy data structure by a password policy enforcement agent. Moreover, Applicants do not understand "[t]he password assigned by the user and the subsequent maintenance of passwords are governed by **a predefined password policy**, including data driven key password policy parameters" to teach or suggest *describing a plurality of password policies in a computer usable password policy data structure* and accessing said computer usable password policy data structure by a password policy enforcement agent.

For at least the foregoing rationale, Applicants respectfully submit that Claim 1, and similarly Claims 20 and 23 as amended, are not unpatentable over Resnitzky in view of Cole under 35 U.S.C. §103(a). As such, allowance of Claims 1, 20 and 23 is respectfully requested.

With respect to Claims 2, 19 and 21, Applicants respectfully point out that Claims 2 and 19 depend from allowable amended independent Claim 1, and recite further features of the present claimed invention. With respect to Claim 21, Applicants respectfully point out that Claim 21 depends from allowable amended independent Claim 20, and recites further features of the present claimed

invention. Therefore, Applicants respectfully submit that Claims 2, 19 and 21 overcome the rejections under 35 U.S.C. §103(a), and that these claims are thus in a condition for allowance as being dependent on an allowable base claim. As such, allowance of Claims 2, 19 and 21 is respectfully requested.

II.   Claims 5-18 and 22

Claims 5-18 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Resnitzky in view of Password Policy of eRA (hereinafter "Password Policy"). Applicants have reviewed the above cited references and respectfully submit that the embodiments of the present invention as recited in Claims 5-18 and 22 are patentable over the cited references for at least the following rationale.

Applicants respectfully submit that Resnitzky in view of Password Policy fails to teach or suggest each and every element of Claim 1, and similarly Claims 20 and 23 as amended. As stated above, Applicants understand Resnitzky to teach a method for secured data processing wherein "[t]he server component ... will **enforce the password policy** ...." Resnitzky, page 6, paragraph [0111] (emphasis added).

Applicants understand Password Policy to teach **a password policy for eRA**. Applicants further understand Password Policy to teach "[t]his policy addresses the risk of weak passwords as well as password disclosure –

intentional or unintentional, malicious or benign – and hence, unauthorized access to servers and data." Password Policy, page 1, section 1.0 (emphasis added). Applicants further understand Password Policy to teach "[a]ll servers have the Operating System configured to **enforce this policy ...**", and "[m]anagement ensures the **uniform enforcement of this policy**." See Password Policy, page 5, sections 7.0 - 8.0 (emphasis added).

Applicants do not understand the combination of Resnitzky and Password Policy to teach or suggest <u>describing a plurality of password policies in a computer usable password policy data structure</u>, <u>accessing said computer usable password policy data structure by a password policy enforcement agent</u>, and <u>enforcing at least one of said plurality of password policies described within said password policy data structure by said password policy enforcement agent</u>, as claimed.

For instance, Applicants do not understand a password policy for eRA, or the uniform enforcement of this policy, to teach or suggest *describing a plurality of password policies in a computer usable password policy data structure* and accessing said computer usable password policy data structure by a password policy enforcement agent.

For at least the foregoing rationale, Applicants respectfully submit that Claim 1, and similarly Claims 20 and 23 as amended, are not unpatentable over

Resnitzky in view of Password Policy under 35 U.S.C. §103(a). As such, allowance of Claims 1, 20 and 23 is respectfully requested.

With respect to Claims 5-18 and 22, Applicants respectfully point out that Claims 5-18 depend from allowable amended independent Claim 1, and recite further features of the present claimed invention. With respect to Claim 22, Applicants respectfully point out that Claim 22 depends from allowable amended independent Claim 20, and recites further features of the present claimed invention. Therefore, Applicants respectfully submit that Claims 5-18 and 22 overcome the rejections under 35 U.S.C. §103(a), and that these claims are thus in a condition for allowance as being dependent on an allowable base claim. As such, allowance of Claims 5-18 and 22 is respectfully requested.
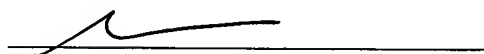
CONCLUSION

In light of the above listed remarks, reconsideration of the rejected claims is requested. Based on the amendments and arguments presented above, it is respectfully submitted that Claims 1-24 overcome the rejections of record. Therefore, allowance of Claims 1-24 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,
WAGNER BLECHER LLP

Date: 1/18/2008

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John P. Wagner, Jr.
Reg. No. 35,398

WESTRIDGE BUSINESS PARK
123 WESTRIDGE DRIVE
WATSONVILLE, CALIFORNIA 95076
(408) 377-0500